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	Group Art Unit	2161	
	Examiner Name	Leroux, Etienne Pierre	
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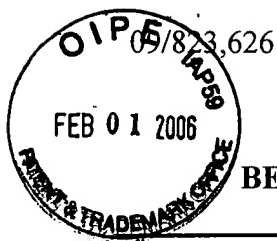
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

David K. BRAVERMAN

Conf. No.: 6953

Application No.: 09/823,626

Group Art Unit: 2161

Filed: March 30, 2001

Examiner: Leroux, Etienne Pierre

Customer No.: 25537

Attorney Docket: COS99036

Client Docket: 09710-1067

For: ACCOUNT MANAGEMENT TOOL FOR E-BILLING SYSTEM

REVISED APPEAL BRIEF

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

This Appeal Brief is submitted in support of the Notice of Appeal dated August 23, 2005,
and in response to the Notification of Non-Compliant Appeal Brief dated December 28, 2005.

I. REAL PARTY IN INTEREST

MCI, Inc. is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any related appeals and interferences.

III. STATUS OF THE CLAIMS

Claims 1-34 are pending in this appeal, in which no claims have earlier been canceled or withdrawn. No claim is allowed. This appeal is therefore taken from the final rejection of claims 1-34 on May 20, 2005.

IV. STATUS OF AMENDMENTS

No amendment to the claims has been filed since the final rejection of claims 1-34 on May 20, 2005.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention addresses problems associated with providing internal sales representatives with updated customer e-billing account activity. (*See, e.g.*, Specification, p. 1, ¶ 2)

Currently, there is no telecommunications enterprise or vendor providing telecommunications services that provide a fully integrated communications offering on the Internet with comprehensive product and services information, including electronic billing analysis and interactive customer support. In the area of billing for telecommunications products and services, telecommunications service enterprises provide capabilities for "on-line" electronic funds transfer (EFT) or public switched telephone network (PSTN) dial-up credit card payment of their invoices. (*See, e.g.*, Specification, pp. 1-2, ¶ 3)

Existing comprehensive world-wide-web/Internet-based invoicing and payment systems ("e-billing" systems) enable customers to easily receive and analyze their invoices, and, in addition, enable customers to pay their invoices, electronically via electronic funds transfer. This e-billing system includes a comprehensive software and system infrastructure that provides a

variety of tools for enabling customers of telecom companies to receive, analyze and pay their invoices by a variety of methods, via a single comprehensive interface. (*See, e.g.*, Specification, p. 2, ¶ 4) The present invention addresses these needs by providing an e-billing system that provides a sales representative with an account management tool that enables a company's sales force to better manage/track their e-billing customers, e.g., by permitting a company's sales force to view all of their invoices and/or companies that are on e-billing. (*See, e.g.*, Specification, p. 2, ¶ 6)

According to one aspect of the invention, there is provided an account management methodology and system for sales representatives of an enterprise employing an e-billing system including a computer system accessible for on-line interactive communication of product and service invoices to users, said account management tool comprising: a database for storing customer account information including customer invoices, the customer information including information for associating a customer account with a particular sales representative; a mechanism for retrieving from the database a list of all customer accounts associated with the sales representative; and, a device for transmitting a list of customer accounts associated with the sales representative to a service representative browser device for display thereof, whereby customer account information associated with the sales representative is available for review. (*See, e.g.*, Specification, p. 2, l. 18 – p. 3, l. 5 (¶ 7), claims 26, 32) In a preferred embodiment, the account management methodology and system includes an e-mail notification feature enabling receipt of email notifying a sales representative that a customer has signed up for (or) has been deleted from e-billing. (*See, e.g.*, Specification, page 3, ll. 5-8 (¶ 7), claims 3, 8, 13, 18, 23, 28, 29, and 33-34) A sales representative is further provided with the ability to turn off/on this email notification. (*See, e.g.*, Specification, p. 3, ll. 8-9, (¶ 7), claims 4, 9, 14, 19, 24, and 30)

According to another aspect of the present invention, a method for providing an on-line billing system is disclosed. The method includes storing account information of a plurality of customers in a database. The account information includes information for associating each of the plurality of customers with a particular agent among a plurality of agents. The method also includes generating a list of customer accounts corresponding to the particular agent from the account information, and displaying the list via a web browser to the agent. (*See, e.g.*, Specification, p. 3, ll. 10-15 (¶ 8), claim 1)

According to another aspect of the present invention, a server apparatus for providing an on-line billing system is disclosed. The server apparatus includes a communication interface that is configured to retrieve account information of a plurality of customers in a database. The account information includes information for associating each of the plurality of customers with a particular agent among a plurality of agents. The server apparatus also includes a processor coupled to the communication interface and configured to generate a list of customer accounts corresponding to the particular agent from the account information, and to instruct display of the list via a web browser to the agent. (*See, e.g.*, Specification, p. 3, ll. 16-23 (¶ 9), claim 6)

In yet another aspect of the present invention, an e-billing system is provided. The e-billing system includes a database that is configured to store account information of a plurality of customers in a database. The account information includes information for associating each of the plurality of customers with a particular agent among a plurality of agents. The system also includes a server that communicates with the database. The server is configured to generate a list of customer accounts corresponding to the particular agent from the account information, and to instruct display of the list via a web browser to the agent. Further, the system includes a client

that communicates with the server. The client is configured to run the web browser to display the list. (*See, e.g.*, Specification, p. 4, ll. 1-9 (¶ 10), claim 11)

According to yet another aspect of the present invention, a server apparatus for providing an on-line billing system is disclosed. The server apparatus includes means for storing account information of a plurality of customers in a database. The account information includes information for associating each of the plurality of customers with a particular agent among a plurality of agents; means for generating a list of customer accounts corresponding to the particular agent from the account information; and means for displaying the list via a web browser to the agent. (*See, e.g.*, Specification, p. 4, ll. 10-16 (¶ 11), claim 16)

In yet another aspect of the present invention, a computer-readable medium carrying one or more sequences of one or more instructions for providing an on-line billing system is disclosed. The one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the step of storing account information of a plurality of customers in a database. The account information includes information for associating each of the plurality of customers with a particular agent among a plurality of agents. Other steps include generating a list of customer accounts corresponding to the particular agent from the account information, and displaying the list via a web browser to the agent. (*See, e.g.*, Specification, p. 4, l. 17 – p. 5, l. 2 (¶ 12); *see also*, pp. 13-14, ¶¶ 36-38, claim 21)

Advantageously, the account management tool of the invention provides timely updated information relating to the customer base of a sales representative, thus stimulating the use of more e-billing and EFT payments, and consequently reducing a company's outstanding accounts receivables. (*See, e.g.*, Specification, p. 4, ¶ 13)

The e-billing system 10 shown in FIG. 1 includes an Internal Administration Tool (IAT) (not shown) which enables internal users (internal to the enterprise) to enable internal users to search for, add, view, modify, and delete users for various customer accounts. The IAT enables any enterprise personnel to view invoices by logging on as a particular external user or by specifying account invoice criteria. The user types include: Administrators, i.e., users with full functionality to the IAT, with the ability to maintain all levels of access, e.g., usually those personnel of high level authority or personnel responsible for e-billing system maintenance; and, Customer Service Representative (CSR), i.e., users with access to the IAT, but may be restricted from making certain changes, e.g. Order Entry, Customer Service, or Customer Center personnel.

FIG. 2 illustrates conceptually the e-billing software architecture 100 incorporating the internal account management tool providing the sales representative enhancement feature of the invention. As shown in FIG. 2, the system is divided into two functional areas: a first customer application 102 for providing customers 98 with access to the e-billing system; and a second application 104 for providing internal users 99 with access to the e-billing system. Particularly, for each application 102, 104, the software enables the generation of a "Splash Screen" 110, which is the initial screen that is displayed upon entering the system. Via the "Splash Screen" 110, a customer 98 first enters a password and/or UserID (user identification) to log on to the Interact System. In an exemplary embodiment, a universal authentication process is initiated for authorizing the customer access to the e-billing system. (See, e.g., Specification, pp. 7-8, ¶¶ 23-24)

After the authentication process, the customer is provided with a display 120 that enables the customer to select the e-billing system option. Likewise, via the "Splash Screen" 110, an internal user, such as a sales representative 99 may enter a password and/or UserID in order to log

on to the Interact System. After the internal user id is verified and access is authorized, the internal user is provided with a display 120 that enables the user to select the e-billing system option. For each of the customer and internal user applications 102, 104 respectively, there is implemented respective "interface wrappers" 152, 154, which provide a common "look and feel" regardless if the user is a customer or a user. For instance, as shown in FIG. 1, depending upon who the customer is and his/her access privileges, the interface wrapper 152 will enable those customer accounts to be listed for the customer via a web-based e-billing main menu display and make those accounts available for access by the customer via a web-browser or other suitable web-based interface device. Likewise, depending upon the access privileges of the internal user, the interface wrapper 154 will enable those accounts to be listed for the internal user via a web-based e-billing main menu display and, further make those accounts available for access by the user via a web-browser or other suitable web-based interface device. (*See, e.g.*, Specification, p. 8, ll. 5-19 (¶ 25), claims 1, 6, 11, 16, 21, 26, and 32)

With respect to the internal Sales Representative (SR), the IAT 300 preferably enables specialized functionality for enabling the viewing of associated accounts, searching for accounts, viewing of account invoices, and receiving/setting various E-mail notifications. (*See, e.g.*, Specification, p. 9, ll. 9-12 (¶ 27), claims 1-34)

As part of this functionality, upon log on and authentication as an agent (i.e., Sales Representative (SR)), a Sales Representative Home Page 50 is generated for download to the SR user browser as shown in the example home page depicted in FIG. 3(a). As depicted in FIG. 3(a), the SR home page 50 is provided with main menu option choices including: a first link 52 to an account list for providing the SR with the ability to view all accounts to which that SR is associated (*See, e.g.*, Specification, p. 9, ll. 16-18 (¶ 28), claims 1, 5, 6, 10, 11, 15, 16, 20, 21, 25,

26, 31, and 32); a second link 54 for providing the SR with the ability to access a specific account invoice or view a specific account invoice through the SR view account list (*See, e.g.*, Specification, p. 9, ll. 18-19 (¶ 28), claims 2, 7, 12, 17, 22, and 27); and, a third link 56 for providing the SR with the ability to set provisions within the e-billing system enabling the SR to receive an e-mail notification each time an e-billing account is associated to that SR's user id (*See, e.g.*, Specification, p. 9, ll. 19-21 (¶ 28), claims 3, 8, 13, 18, 23, 28, and 33), and enabling the SR to receive an e-mail notification each time an account that is associated to that SR's user id becomes deleted. (*See, e.g.*, Specification, p. 9, ll. 22-23 (¶ 28), claims 3, 8, 13, 18, 23, 29, and 34) It is understood that the SR home page 50 includes a task bar 51 from which an SR may select to link to the various IAT functions. One of these functions include the search link 58 which enables the SR to search by account name or account number for different types of accounts and, additionally providing the ability to access those account invoices that resulted from the search. (*See, e.g.*, Specification, pp. 9-10, ¶ 28)

As shown in FIG. 3(a), when the SR selects view account list link 52, the internal SR user is presented with a web based display screen 60, an example of which is depicted in FIG. 3(b), having a frame 62 automatically populated with all of the accounts 66 associated with that SR. The internal SR user will thus be able to view all of the account list results 66 for that SR. Account information provided in the list results include Account name, number, account address, account type, level, environment number and account alias. From this web page display 60, a further link 68 is provided for enabling a user to conduct a further search for other accounts not listed. (*See, e.g.*, Specification, p. 10, ll. 5-12 (¶ 29), claims 1, 6, 11, 16, 21, 26, and 32)

Referring back to FIG. 3(a), when the SR selects view account invoice link 54, the internal SR user is presented with a web based display screen 70, an example of which is depicted

in FIG. 3(c), having a frame 72 providing entry fields for entering account invoice search criteria, it should be understood that a similar web based display screen as shown in FIG. 3(c) is presented to the SR user upon selection of the search button 58 shown in the home page display of FIG. 3(a). Returning to FIG. 3(c), for example, there is provided in frame 72 entry fields 74, 75 and 76 for enabling the SR to enter an account name and account number or an account alias, respectively, according to the desired account invoice, which the SR desires for viewing. A further entry field 77 is provided for enabling entry of an environment number and further radio buttons 78 and 79 are provided for enabling the SR user to select account invoice type, e.g., VLI, and the account level, e.g., corporate. In response to selection of the continue button 71, a search is conducted for the SR entered criteria, and a view account invoice search results list similar to the list such as depicted in the example of FIG. 3(b) is presented to the SR. From this list, a user may click on the desired account id from the list 68 to enable viewing of those account invoices (5) for that account which resulted from the search. (*See, e.g.*, Specification, p. 11, ll. 3-4 (¶ 30), claims 2, 7, 12, 17, 22, and 27) Thus, the SR account invoice information may be retrieved by entering an account name, account number or account alias. If the SR is within an account and then chooses to view invoices, they are taken directly into that account's invoice. As shown in FIG. 3(a), when the SR selects the e-mail notification link 56, the internal SR user is presented with a web based display screen 80, an example of which is depicted in FIG. 3(d), having a frame 82 with a check box 84 enabling the SR to specify whether the SR would like to receive an e-mail notification from the e-billing system 10 (FIG. 1) each time an e-billing account associated to that SR's user id is assigned (*See, e.g.*, Specification, p. 11, ll. 9-11 (¶ 30), claims 3, 8, 13, 18, 23, 28, and 33); and, a check box 86 enabling the SR to specify whether the SR would like to receive an e-mail notification from the e-billing system each time an e-billing account associated to that SR's

user id is deleted. (*See, e.g.*, Specification, p. 11, ll. 12-14 (¶ 30), claims 3, 8, 13, 18, 23, 29, and 34) After making the various selections, the SR clicks the Submit button 87 to effectuate the e-mail notification. (*See, e.g.*, Specification, page 10, l. 13 – p. 11, l. 15 (¶ 30), claims 1, 6, 11, 16, 21, 26, and 32)

FIG. 4(a) illustrates an example e-mail message 90 automatically generated by the e-billing system and transmitted for receipt by the SR when that SR's status indicates e-mail notification from the e-billing system 10 for newly enrolled e-Billing account customers associated to that SR's user id. As shown in FIG. 4(a), the example e-mail message is automatically populated with the new customer account information 90, i.e., customer account name, address, and the like, for the associated SR. (*See, e.g.*, Specification, p. 11, ll. 16-21 (¶ 31), claims 1, 3, 6, 8, 11, 13, 16, 18, 21, 23, 26, 28, 32, 33)

FIG. 4(b) illustrates an example e-mail message 95 automatically generated by the e-billing system and transmitted for receipt by the SR when that SR's status indicates e-mail notification from the e-billing system 10 for e-billing account customers who have terminated their accounts or whose accounts have been terminated. As shown in FIG. 4(b), the example email message is automatically populated with the canceled customer account information 97, i.e., account name, address, and the like, for the associated SR. (*See, e.g.*, Specification, p. 11, l. 23 – p. 12, l. 4 (¶ 32), claims 1, 3, 6, 8, 11, 13, 16, 18, 21, 23, 26, 29, 32, 34)

The SR is thus advantageously equipped with greater access to account information and more timely information related to the customer base of the Sales Representative, thus fostering more e-billing to provide timely and efficient processing of bills. (Specification, p. 16, ¶ 41)

VI. GROUND'S OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-28 and 30-33 are obvious under 35 U.S.C. § 103(a) based on *Tabb et al.* (U.S. 5,787,416) in view of *Woloshin et al.* (U.S. Patent Application Publication No. 2002/0026410) and further in view of *Gifford et al.* (U.S. Patent Application Publication No. 2002/0131561).

Whether claims 29 and 34 are obvious under 35 U.S.C. § 103(a) based on *Tabb et al.*, *Woloshin et al.*, and *Gifford et al.* and further in view of *Perell et al.* (U.S. Patent Application Publication No. US 2001/0047347).

VII. ARGUMENT**A. CLAIMS 1-28 AND 30-33 ARE NOT RENDERED OBVIOUS BY *TABB ET AL.*, *WOLOSHIN ET AL.*, AND *GIFFORD ET AL.***

The initial burden of establishing a *prima facie* basis to deny patentability to a claimed invention under any statutory provision always rests upon the Examiner. *In re Mayne*, 104 F.3d 1339, 41 USPQ2d 1451 (Fed. Cir. 1997); *In re Deuel*, 51 F.3d 1552, 34 USPQ2d 1210 (Fed. Cir. 1995); *In re Bell*, 991 F.2d 781, 26 USPQ2d 1529 (Fed. Cir. 1993); *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In rejecting a claim under 35 U.S.C. § 103, the Examiner is required to provide a factual basis to support the obviousness conclusion. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 357 F.2d 385, 148 USPQ 721 (CCPA 1966); *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970).

Obviousness rejections require some evidence in the prior art of a teaching, motivation, or suggestion to combine and modify the prior art references. See, e.g., *McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1351-52, 60 USPQ2d 1001, 1008 (Fed. Cir. 2001); *Brown & Williamson Tobacco Corp. v. Philip Morris Inc.*, 229 F.3d 1120, 1124-25, 56 USPQ2d 1456,

1459 (Fed. Cir. 2000); *In re Dembiczak*, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

The Patent Office must give specific reasons why one of ordinary skill in the art would have been motivated to combine the references. See, e.g., *In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Rouffet*, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998).

The rejection of claims 1-28 and 30-33 should be reversed because none of *Tabb et al.*, *Gifford et al.*, nor *Woloshin et al.*, individually or in combination, teach or suggest the features of the claims.

1. Claims 1, 6, 11, 16, 21, 26, and 32 are not rendered obvious by *Tabb et al.*, *Woloshin et al.*, and *Gifford et al.*

Independent claims 1, 6, 11, 16, 21, 26, and 32 each recite determining whether an agent or sales representative has “enabled notification of account changes.” None of the applied references, singly or in any combination, teach or suggest this feature, much less generating an electronic mail message in response to “determining that the particular agent has enabled notification of account changes,” as recited, e.g., in claim 1.

For example, independent claim 1, directed to a method for providing an on-line billing system, recites, “storing account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with a particular agent among a plurality of agents; generating a list of customer accounts corresponding to the particular agent from the account information; displaying the list via a web browser to the particular agent; detecting an event that changes an association between one of the customers and the particular agent; **determining whether the particular agent has enabled notification of**

account changes; and in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an electronic mail message describing the event and sending the electronic mail message to the particular agent.”

Tabb et al. (per Abstract) is directed to a relational database management system (RDBMS) having a hypertext report writing module. Relations between reports which are generated from the same or related database tables are recognized. The system automatically embeds (or assists the user in embedding) appropriate hypertext links so that information from one report may be cross-referenced immediately with information in another, related report. In addition to drill-down reports, the system may create comprehensive hypertext reports for automatically tying together information which is related through underlying table relations but which ordinarily appears in different reports. By automatically placing hypertext links or cross-indexes between reports, the system ties together relatable information into a single, cross-indexed hypertext report.

Woloshin et al. (per Abstract) is directed to an online paperless account approval and provisioning technique and system. A method and system is discussed for automatically approving an electronic account application (such as a merchant account) of an applicant to establish a valid account and provisioning the account with electronically integrated data systems in order to enable the applicant to provide a service. *Woloshin et al.* includes capturing account information via an online account application submitted by the applicant; automatically processing the account information using predetermined acceptance criteria; upon acceptance of the predetermined criteria, automatically approving the account; and automatically provisioning the approved account with the integrated data systems using the account information. As discussed in ¶ 20, when a merchant completes a Paperless Online Merchant Application, three e-

mails are automatically sent. The first e-mail, the “Autoresponder” 210 is sent to the merchant. This e-mail confirms receipt of their application and includes a copy of the MSP merchant agreement for the merchant's reference. The second and third e-mails 212 and 214 are sent to the partner and MSP sales representative, respectively. These e-mails contain data from the application. These two e-mails inform the partner and MSP sales representative that an application has been submitted.

The Examiner (Office Action dated May 20, pp. 3-4) correctly acknowledges that *Tabb et al.* “does not disclose determining whether the particular agent has enabled notification of account changes, and in response to detecting the event and determining that the particular agent has enabled notification of account changes.” The Examiner then contends:

Gifford discloses determining whether the notification of account changes has been enabled [Gifford, paragraph 1555 *[sic]*, step 520]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Tabb to include determining whether the particular agent has enabled notification of account changes, and in response to detecting the event and determining that the particular agent has enabled notification of account changes [Gifford, paragraph 1555 *[sic]*, step 520] as taught by Gifford for the purpose of receiving only electronic mails that require an action by the representative.

However, *Gifford et al.* (per Abstract) is directed to providing unified messages services to a subscriber. The subscriber utilizes an active interface embedded in an e-mail notification to control delivery of a non-literal, single media or multimedia message to the subscriber. The message may include of a hyperlink-based message, a voicemail message, a facsimile, and a video clip. The active interface provides access to communications-related services as well, including access to stock/options trading and bill payment. Fig. 5 of *Gifford et al.* relates to the processing of a message for the subscriber left by a caller. The caller leaves a voicemail or facsimile message. The system records the caller's message and stores it. A message notification server receives an indication that the subscriber has a new voicemail or facsimile message. The

message notification server uses the subscriber's profile information to determine if the subscriber has selected that he/she receive e-mail notifications. If it is determined that the subscriber selected e-mail notification, the system gathers the information about the message for which the notification is being generated, the information including message type, length, sender and at what time it was left. The system then determines if a subscriber has enabled receipt of enriched (or active) e-mails. The system generates an e-mail addressed to the subscriber's e-mail account. Such an e-mail can be formatted in any valid format; however, a preferred embodiment utilizes MIME encoding format. (¶¶ 141-156)

Thus, *Gifford et al.* sends email to a subscriber only when a sender has already initiated a process of leaving a message, and the email that is sent to the subscriber is merely a notification of a message received from a sender. The subscriber may enable notification via email of **an already received message**, in stark contrast to **“determining whether the particular agent has enabled notification of account changes; and in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an electronic mail message describing the event and sending the electronic mail message to the particular agent,”** as recited, for example, by claim 1 of the present invention. Therefore, *Gifford et al.* does not suggest or disclose these features as urged by the Examiner, and the combination of *Tabb et al.*, *Gifford et al.*, and *Woloshin et al.* does not cure this deficiency.

Moreover, the Examiner (Office Action dated May 20, 2005, p. 3) contends that *Tabb et al.* discloses, “displaying the list via a web browser to the agent [inherently disclosed because a hypertext report is available for a browse sequence, col. 3, line 64 – col. 4, line 5, and a report shows a list of customer orders for a particular sales representative, col. 17, lines 48-60].” Appellant respectfully submits that mentions of a “hypertext report,” especially in the context of

Tabb et al., do not inherently disclose “displaying the list via a web browser” as urged by the Examiner, as inherency requires that the missing descriptive material is “necessarily present,” not merely probably or possibly present, in the prior art. *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999) (citing *Continental Can Co. USA, Inc. v. Monsanto Co.*, 948 F.2d 1264, 1268, 20 USPQ2d 1746, 1749 (Fed. Cir. 1991)). There are numerous ways other than web browsers to display hypertext reports, and *Tabb et al.* does not mention or suggest use of any type of “web browser,” and thus, the feature is not “inherently disclosed.”

Furthermore, the Examiner (Office Action dated May 20, 2005, p. 3) correctly acknowledges that *Tabb et al.* “does not disclose detecting an event that changes an association between one of the customers and the particular agent and generating an electronic mail message describing the event and sending the electronic mail message to the particular agent.” The Examiner then contends:

Woloshin discloses detecting an event that changes an association between one of the customers and the particular agent and generating an electronic mail message describing the event and sending the electronic mail message to the particular agent [confirms receipt of application, paragraph 20]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify *Tabb* to include detecting an event that changes an association between one of the customers and the particular agent and generating an electronic mail message describing the event and sending the electronic mail message to the particular agent as taught by Woloshin for the purpose of informing a sales representative that a new application has been processed [paragraph 20]. The ordinarily skilled artisan would have been motivated to improve the above combination of references per the above for the purpose of sending an e-mail to the representative in order to create an on-line application processing system [paragraph 17].

However, *Tabb et al.* (per Abstract) is directed to hypertext writing modules for relational database systems. *Tabb et al.* specifically points out that an advantage of its teachings is that “a busy executive would much rather have an electronic report with an appropriate level of summary information. The executive could then drill-down to the detail information which is of particular

interest.” (col. 23: 34-38) *Tabb et al.* further points out another advantage that an executive “need not waste time reviewing detail information which is not interesting.” (col. 23: 38-40) *Tabb et al.* also recommends that hypertext reports be generated and delivered “on a timely basis (e.g., daily).” (col. 23: 42-43) Using the Examiner’s reasoning, *Tabb et al.*’s executive would be sent an e-mail message when “a new application has been processed,” in contravention of at least one of the advantages stated by *Tabb et al.* Obviousness rejections require some evidence in the prior art of a teaching, motivation, or suggestion to combine and modify the prior art references. *See, e.g., McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1351-52, 60 USPQ2d 1001, 1008 (Fed. Cir. 2001); *Brown & Williamson Tobacco Corp. v. Philip Morris Inc.*, 229 F.3d 1120, 1124-25, 56 USPQ2d 1456, 1459 (Fed. Cir. 2000); *In re Dembiczak*, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). It is improper to combine references where the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 218 USPQ 769 (Fed. Cir. 1983). A prior art reference must be considered in this entirety including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Furthermore, if a proposed modification would render the prior art being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). In this case, *Tabb et al.* teaches away from the combination proffered by the Examiner, and would be rendered unsatisfactory for its intended purpose if the “busy executive” of *Tabb et al.* were to be inundated with e-mail messages in addition to the summary hypertext reports.

Thus, the rejection of claim 1 should be withdrawn.

For reasons similar to those stated previously with regard to claim 1, Applicant additionally submits that the rejection of independent claims 6, 11, 16, 21, 26, and 32 should be withdrawn.

2. Claims 2, 7, 12, 17, 22, and 27 are not rendered obvious by *Tabb et al.*, *Woloshin et al.*, and *Gifford et al.*

With regard to dependent claims 2, 7, 12, 17, 22, and 27, the Examiner (Office Action dated May 20, 2005, p. 4) contends, “Tabb discloses drilling down to view a particular customer invoice associated with a particular customer account selected from the list [Fig 3f].” This contention by the Examiner does not cure the deficiencies noted previously with regard to the respective independent claims, and thus the rejection of claims 2, 7, 12, 17, 22, and 27 should be reversed.

3. Claims 3, 8, 13, 18, 23, 28, and 33 are not rendered obvious by *Tabb et al.*, *Woloshin et al.*, and *Gifford et al.*

With regard to dependent claims 3, 8, 13, 18, 23, 28, and 33, the Examiner (Office Action dated May 20, 2005, p. 4) correctly acknowledges that *Tabb et al.*, *Woloshin et al.*, and *Gifford et al.* do not disclose “wherein the event includes a new enrollment of the one of the customers or an account cancellation of the one of the customers,” and then contends that *Woloshin et al.* discloses the feature at paragraph 20. However, as discussed previously, *Tabb et al.* teaches away from the combination proffered by the Examiner, and would be rendered unsatisfactory for its intended purpose if the “busy executive” of *Tabb et al.* were to be inundated with e-mail messages in addition to the summary hypertext reports. This further contention by the Examiner does not cure the deficiencies noted previously with regard to the respective independent claims, and thus the rejection of claims 3, 8, 13, 18, 23, 28, and 33 should be reversed.

4. Claims 4, 9, 14, 19, 24, and 30 are not rendered obvious by *Tabb et al.*, *Woloshin et al.*, and *Gifford et al.*

Regarding dependent claims 4, 9, 14, 19, 24, and 30, the Examiner (Office Action dated May 20, 2005, p. 5) contends, “Gifford discloses displaying at least one option to the particular agent for selectively enabling or disabling the notification of account changes [paragraphs 154 and 155].” However, this contention by the Examiner does not cure the deficiencies noted previously with regard to the respective independent claims, and thus the rejection of claims 4, 9, 14, 19, 24, and 30 should be reversed.

5. Claims 5, 10, 15, 20, 25, and 31 are not rendered obvious by *Tabb et al.*, *Woloshin et al.*, and *Gifford et al.*

With regard to dependent claims 5, 10, 15, 20, 25, and 31, the Examiner (Office Action dated May 20, 2005, p. 5) contends, “Tabb discloses wherein the customer account in the storing step is associated with a user identification of the particular agent [employee ID serves as primary key for the representative, col 18, lines 50-60].” However, this further contention by the Examiner does not cure the deficiencies noted previously with regard to the respective independent claims, and thus the rejection of claims 5, 10, 15, 20, 25, and 31 should be reversed.

Appellant respectfully submits that none of the references individually, nor in any reasonable combination, suggests or discloses the missing features previously discussed with regard to independent claims 1, 6, 11, 16, 21, 26, and 32, from which each of claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-28, 30-31, and 33, respectively, depend. Therefore, the rejection of claims 1-28 and 30-33 must be reversed, because *Tabb et al.*, *Gifford et al.*, and *Woloshin et al.* do not disclose or suggest the limitations of the claims.

B. CLAIMS 29 AND 34 ARE NOT RENDERED OBVIOUS BY *TABB ET AL.*, *WOLOSHIN ET AL.*, *GIFFORD ET AL.* AND *PERELL ET AL.*

Dependent claim 29, which depends from claim 26, recites, “wherein the event includes cancellation of an e-billing enrollment by the one of the customers.” Dependent claim 34, which depends from claim 32, recites, “wherein the event includes a deletion of the one of the customers from the e-billing system.”

The Examiner (Office Action dated May 20, 2005, p. 5) correctly acknowledges that *Tabb et al.*, *Gifford et al.*, and *Woloshin et al.* “fails to disclose e-mail notification mechanism enabling a sales representative to specify automatic receipt of e-mail notification message when a customer cancels an e-billing account.”

The Examiner then states (Office Action dated May 20, 2005, pp. 5-6):

Woloshin discloses an e-mail notification mechanism to notify a sales representative [par 20]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tabb to include an e-mail notification mechanism as taught by Woloshin for the purpose of informing a sales representative of a new customer [par 20]. The ordinarily skilled artisan would have been motivated to improve the invention of Tabb per the above for the purpose of sending an e-mail to the representative in order to create an on-line application processing system [par 17].

The combination of Tabb and Woloshin disclose the elements of claim 29 except for the automatic receipt of an e-mail notification when a customer cancels an e-billing account. Perell discloses automatic receipt of e-mail notification when a customer cancels an e-billing account [par 311]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Tabb and Woloshin to include automatic receipt of e-mail notification when a customer cancels an e-billing account for the purpose of informing a company representative that an existing account has been cancelled. The ordinarily skilled artisan would have been motivated to modify the combination of Tabb and Woloshin per the above for the purpose of sending an e-mail to the representative in order to create an on-line application processing system [par 17].

However, *Perell et al.* is directed to a multiple-party data attribute management system and interface structure which permits different categories of users to contribute and control

different types of source data, while adding informational value to data contributed by other users. The system provides a secure repository for verified and authenticated data, and provides a system of controlled access to the repository. A data verification and certification system is used to create a data bank to match job seekers with potential employers based on verified resume data and employer specified search criteria. The system includes computer databases and interactive Internet based server systems.. (Abstract) When a **member** cancels his/her membership on-line, an e-mail is sent **to the former member's registered email account** with notice of the cancellation, thus **informing the member of his/her own account cancellation** (§ 311), again in stark contrast to the features recited by claims 29 and 34, which require that an e-mail notification be sent to a **sales representative** associated with a customer upon cancellation of an e-billing enrollment of the customer, or deletion of the customer from the e-billing system, as required by claims 29 and 34, respectively.

Appellant respectfully submits that none of the references individually, nor in any reasonable combination, cures the deficiencies of the applied references previously discussed with regard to independent claims 1, 6, 11, 16, 21, 26, and 32, from which each of claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-31, and 33-34, respectively, depend. Therefore, the rejections of claims 1-34 must be reversed, because *Tabb et al.*, *Gifford et al.*, *Woloshin et al.*, and *Perell et al.* do not disclose or suggest the limitations of the claims.

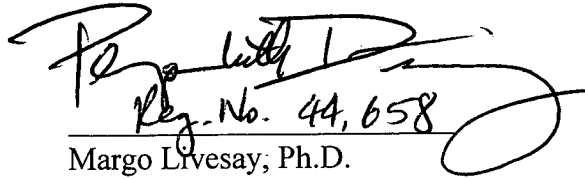
VIII. CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, Appellant requests the Honorable Board to reverse each of the Examiner's rejections.

Respectfully Submitted,

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IX. CLAIMS APPENDIX

1. (Previously Presented) A method for providing an on-line billing system, the method comprising:

storing account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with a particular agent among a plurality of agents;

generating a list of customer accounts corresponding to the particular agent from the account information;

displaying the list via a web browser to the particular agent;

detecting an event that changes an association between one of the customers and the particular agent;

determining whether the particular agent has enabled notification of account changes; and

in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an electronic mail message describing the event and sending the electronic mail message to the particular agent.

2. (Original) The method according to claim 1, further comprising:

drilling down to view a particular customer invoice associated with a particular customer account selected from the list.

3. (Previously Presented) The method according to claim 1, wherein the event includes a new enrollment of the one of the customers or an account cancellation of the one of the customers.

4. (Previously Presented) The method according to claim 1, further comprising:

displaying at least one option to the particular agent for selectively enabling or disabling the notification of account changes.

5. (Original) The method according to claim 1, wherein the customer account in the storing step is associated with a user identification of the particular agent.

6. (Previously Presented) A server apparatus for providing an on-line billing system, the server apparatus comprising:

a communication interface configured to retrieve account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with a particular agent among a plurality of agents; and a processor coupled to the communication interface and configured to

generate a list of customer accounts corresponding to the particular agent from the account information,

instruct display of the list via a web browser to the particular agent,

detect an event that changes an association between one of the customers and the particular agent,

determine whether the particular agent has enabled notification of account changes, and

generate an electronic mail message describing the event and send the electronic mail

message to the particular agent, in response to detecting the event and determining that the particular agent has enabled notification of account changes.

7. (Original) The server apparatus according to claim 6, wherein the processor is configured to drill down to view a particular customer invoice associated with a particular customer account selected from the list.

8. (Previously Presented) The server apparatus according to claim 6, wherein the event includes a new enrollment of the one of the customers or an account cancellation of the one of the customers.

9. (Previously Presented) The server apparatus according to claim 6, wherein the processor is configured to display at least one option to the particular agent for selectively enabling or disabling the notification of account changes.

10. (Original) The server apparatus according to claim 6, wherein the customer account is associated with a user identification of the particular agent.

11. (Previously Presented) An e-billing system comprising:

a database configured to store account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with a particular agent among a plurality of agents;

a server communicating with the database, the server being configured to

generate a list of customer accounts corresponding to the particular agent from the account information,

instruct display of the list via a web browser to the particular agent,

detect an event that changes an association between one of the customers and the particular agent,

determine whether the particular agent has enabled notification of account changes, and

generate an electronic mail message describing the event and send the electronic mail message to the particular agent, in response to detecting the event and determining

that the particular agent has enabled notification of account changes; and

a client communicating with the server, the client being configured to run the web browser to display the list.

12. (Original) The system according to claim 11, wherein the server is configured to drill down to view a particular customer invoice associated with a particular customer account selected from the list.

13. (Previously Presented) The system according to claim 11, wherein the event includes a new enrollment of the one of the customers or an account cancellation of the one of the customers.

14. (Previously Presented) The system according to claim 11, wherein the server is configured to instruct display of at least one option to the particular agent for selectively enabling or disabling the notification of account changes.

15. (Original) The system according to claim 11, wherein the customer account is associated with a user identification of the particular agent.

16. (Previously Presented) A server apparatus for providing an on-line billing system, the server apparatus comprising:

means for storing account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with a particular agent among a plurality of agents;

means for generating a list of customer accounts corresponding to the particular agent from the account information;

means for displaying the list via a web browser to the particular agent;

means for detecting an event that changes an association between one of the customers and the particular agent;

means for determining whether the particular agent has enabled notification of account changes; and

means for generating an electronic mail message describing the event and sending the electronic mail message to the particular agent, in response to detecting the event and determining that the particular agent has enabled notification of account changes.

17. (Original) The server apparatus according to claim 16, further comprising:

means for drilling down to view a particular customer invoice associated with a particular customer account selected from the list.

18. (Previously Presented) The server apparatus according to claim 16, wherein the event includes a new enrollment of the one of the customers or an account cancellation of the one of the customers.

19. (Previously Presented) The server apparatus according to claim 16, further comprising:

means for displaying at least one option to the particular agent for selectively enabling or disabling the notification of account changes.

20. (Original) The server apparatus according to claim 16, wherein the customer account is associated with a user identification of the particular agent.

21. (Previously Presented) A computer-readable medium carrying one or more sequences of one or more instructions for providing an on-line billing system, the one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the steps of:

storing account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with a particular agent among a plurality of agents;

generating a list of customer accounts corresponding to the particular agent from the account information;

displaying the list via a web browser to the particular agent;

detecting an event that changes an association between one of the customers and the particular agent;

determining whether the particular agent has enabled notification of account changes; and

in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an electronic mail message describing the event and sending the electronic mail message to the particular agent.

22. (Original) The computer-readable medium according to claim 21, wherein the one or more processors further perform the step of:

drilling down to view a particular customer invoice associated with a particular customer account selected from the list.

23. (Previously Presented) The computer-readable medium according to claim 21, wherein the event includes a new enrollment of the one of the customers or an account cancellation of the one of the customers.

24. (Previously Presented) The computer-readable medium according to claim 21, wherein the one or more processors further perform the step of:

displaying at least one option to the particular agent for selectively enabling or disabling the notification of account changes.

25. (Original) The computer-readable medium according to claim 21, wherein the customer account in the storing step is associated with a user identification of the particular agent.

26. (Previously Presented) An account management tool for sales representatives of an enterprise employing an e-billing system including a computer system accessible for on-line interactive communication of product and service invoices to users, the account management tool comprising:

- a database for storing customer account information including customer invoices, the customer information including information for associating a customer account with a particular sales representative;
- a mechanism for retrieving from the database a list of all customer accounts associated with the particular sales representative;
- a device for transmitting a list of the customer accounts associated with the particular sales representative to a sales representative browser device for display thereof, whereby customer account information associated with the particular sales representative is available for review;
- a mechanism for detecting an event that changes an association between one of the customers and the particular sales representative;
- a mechanism for determining whether the particular sales representative has enabled notification of account changes; and

a mechanism for generating an electronic mail message describing the event and sending the electronic mail message to the particular sales representative, in response to detecting the event and determining that the particular sales representative has enabled notification of account changes.

27. (Original) The account management tool according to Claim 26, further including:

a drill-down mechanism for enabling viewing of a particular customer invoice associated with a particular customer account selected from the customer account list.

28. (Previously Presented) The account management tool according to Claim 26, wherein the event includes enrollment by a new customer for e-billing.

29. (Previously Presented) The account management tool according to Claim 26, wherein the event includes cancellation of an e-billing enrollment by the one of the customers.

30. (Previously Presented) The account management tool according to Claim 26, further including a mechanism for enabling a sales representative to enable or disable the notification of account changes.

31. (Original) The account management tool according to Claim 26, wherein the customer account is associated with a user ID of the sales representative and recognized by the e-billing system.

32. (Previously Presented) A method for tracking customers enrolled in an e-billing system employed by an enterprise, the e-billing system including a computer system accessible for on-line interactive communication of product and service invoices to customers, the method comprising:

tracking enrolled customers and associated customer account information, and storing customer account information including customer invoices of the enrolled customers in a database, associating enrolled customers with a particular sales representative of the enterprise;

retrieving from the database a list of all customer accounts associated with the particular sales representative;

transmitting a list of the customer accounts associated with the particular sales representative to a sales representative browser device for display thereof, whereby customer account information associated with the particular sales representative is available for review by the particular sales representative;

detecting an event that changes an association between one of the customers and the particular sales representative;

determining whether the particular sales representative has enabled notification of customer account changes; and

in response to detecting the event and determining that the particular sales representative has enabled notification of customer account changes, generating an electronic mail message describing the event and sending the electronic mail message to the particular sales representative.

33. (Previously Presented) The method according to Claim 32, wherein the event includes a new enrollment in the e-billing system by the one of the customers.

34. (Previously Presented) The method according to Claim 32, wherein the event includes a deletion of the one of the customers from the e-billing system.

X. EVIDENCE APPENDIX

Appellant is unaware of any evidence that is required to be submitted in the present Evidence Appendix.

XI. RELATED PROCEEDINGS APPENDIX

Appellant is unaware of any related proceedings that are required to be submitted in the present Related Proceedings Appendix.